

WALTON LAW FIRM, LLC 2320 Chambers Rd. St. Louis, MO 63136 Telephone: 314-388-3400 Fax: 314-388-1325 FI FIGURED TION

2016 AUG -9 PM 4: 01

August 9, 2016

Federal Election Commission
Office of Complaints Examination and Legal Administration
Attn: Mary Beth deBeau, Paralegal
999 E. Street, NW
Washington, DC 20436

CELA

Also sent by email to mdcbeau@fcc.gov; jjordan@fcc.gov

Re: MUR 7108

Dear Ms. deBeau:

We are in receipt of your letters dated July 25, 2016, directed to (a) Angela Mosley, Treasurer of the Citizens to Elect Gray, (b) Angela Mosley, Treasurer of Citizens to Elect Jay Mosley, and (c) Linda Weaver, in her individual capacity, respectively, along with a copy of the Complaint and attachments. We have been retained to respond to said three letters and complaint. We enclose the Statements of Designation of Counsel executed by Ms. Mosley as Treasurer of said two committees and by Ms. Weaver, respectively. We submit this joint response to said letters by Angela Mosley in her official capacity as Treasurer of said two committees and Linda Weaver in her individual capacity.

#### The Complainant alleges:

"On or about Sunday, June 19, 2016, somebody left the enclosed flyer at my front door \*\*\* the flyer contained not only candidates for offices in St Louis County and Missouri State Representative but also Congressional Candidate Maria Chappelle Nadal. \*\*\* My research found that Maria Chapelle Nadal is using money from her State Senate Campaign fund to provide money to Jay Mosely and Rochelle Walton Gray whose campaigns paid for the enclosed flyer. This appears to be a violation of federal election law." (Emphasis mine)

The facts appear to be as follows. The enclosed Amended Statement of Committee Organization for the "Citizens for Maria Chappelle Nadal," dated 2/7/2009 (Exhibit A), filed with the Missouri Ethics Committee that regulates the campaign finance laws for the state of Missouri, indicates that the committee was organized to support Maria Chappelle Nadal as a Democrat for election to the Missouri House of Representatives. It was later amended, as enclosed (Exhibit B), on 2/25/2010, to state that its purpose was to elect Maria Chappelle Nadal as a Democrat to the Missouri State Senate. It was finally amended on 1/28/2015 (Exhibit C) to state that its purpose was to elect Maria Chappelle Nadal as a Democrat to a Statewide Missouri Office in the Democratic primary election scheduled for 8/20/2020. We presume that Maria Chappelle Nadal also established a separate campaign committee to run for the US Congress, named "Chappelle-

Nadal for Congress" in the Democratic primary election held on 8/2/2016 and filed a statement of committee organization with the Federal Election Commission.

The enclosed Amended Statement of Committee Organization of the "Citizens to Elect Gray" (Exhibit D), filed with the Missouri Ethics Commission, states that said committee was organized to support Rochelle Walton Gray as a Democrat for the St. Louis, Missouri County Council in the primary election of 8/2/2016. The enclosed Statement of Committee Organization of the "Citizens to Elect Jay Mosley, LLC" (Exhibit E), states that said committee was organized to support Jay Mosley as a Democrat in the primary election scheduled for 8/2/2016 for the office of State Representative, 68<sup>th</sup> District.

Documentation attached to the complaint indicates that on 3/17/16, the Missouri statewide candidate campaign committee, "Citizens for Maria Chappelle Nadal," made a campaign contribution to the "Citizens to Elect Gray" in the sum of \$25,000.00. The documentation also indicates that on 5/23/2016, said committee, "Citizens for Maria Chappelle Nadal" made a campaign contribution to "Citizens to Elect Jay Mosley, LLC" in the sum of \$15,000.00.

Also attached to the complaint was a copy of a door hanger, that indicated that it was paid for by both the "Citizens to Elect Gray" and the "Citizens to Elect Jay Mosley." Although it was the intent to have both campaigns pay for said door hangers, campaign records indicates that only the Citizens to Elect Gray paid for said door hangers in the sum of \$356.56. (Exhibit F) Said door hangers references the election of Tuesday, August 2<sup>nd</sup>. It contains a caption, "Vote Democratic & Elect" and lists five candidates and offices on the door hanger, (1) Rochelle Walton Gray, County Councilwoman, (2) Jay Mosley, State Representative, (3) Maria Chappelle Nadal, Congresswoman, (4) Tony Weaver, Committeeman, and (5) Linda Weaver, Committeewoman. The Weavers were seeking election to the County Central Committee of the Democratic party.

The complaint seems to be that it was allegedly a violation of the Federal Election Campaign laws for "Maria Chappelle Nadal, Congresswoman," to be included among the candidates for state, county and political party office, in the democratic primary, listed on the door hanger, solely because she is a candidate for federal office, while the other candidates were seeking state, county and political party offices and/or due to the fact that her statewide campaign committee had made campaign contributions to the two candidate committees that the door hanger indicated had paid for the door hangers.

It is common practice for state, local and party campaign and candidate committees to include both federal, state, county and political party candidates that are being endorsed by the committee on campaign materials when elections are conducted. It does not cost a candidate for election to a particular office anything additional to print a campaign piece that includes not only the candidate paying for the campaign piece, but other candidates for different federal, state, county and political party office that the candidate, printing the campaign piece, determines to endorse and support for nomination or election to federal, state, county or political party office, on the same election date in which the candidate paying for the campaign piece stands for election or nomination to office. This practice has gone on for over a hundred (100) years. I am enclosing copies of four different campaign pieces that were paid for and distributed by four different candidates or campaign committees, other than the Citizens to Elect Gray and the Citizens to Elect Jay Mosley, during the August 2, 2016, democratic primary election held in St

Louis County, Missouri, that supported federal, state, county and political party candidates on the campaign materials. (Exhibits G, H, I & J)

The price charged by the printer for a door hanger order was not based on the number of candidates listed on the door hanger but was based on the number of door hangers being ordered. Thus, the Citizens to Elect Gray did not incur any increase in the cost of the door hanger to include not only Maria Chappelle Nadal, Congresswoman, on the door hanger, but the other candidates who were listed thereon, i.e., Jay Mosley, State Representative, Tony Weaver, Committeeman, and Linda Weaver, Committeewoman, along with Rochelle Walton Gray, county councilwoman. Basically, there was no separate, distinct and direct cost incurred by the Citizens to Elect Gray, in the printing of said door hanger, that may be identified as a separate. distinct or direct cost or expenditure in support of Maria Chappelle Nadal as a candidate for Congresswoman. The Citizens to Elect Gray would have paid \$356.56, in the printing of said door hanger, if the only candidate on the door hanger was Rochelle Walton Gray or if she included on the door hanger, Jay Mosley, Tony Weaver, Linda Weaver and Maria Chappelle Nadal. Thus, there could not be nor was there any violation of the Federal Campaign Finance Laws by neither Chappelle Nadal For Congress, Citizens for Maria Chappelle Nadal, Citizens to Elect Gray nor Citizens to Elect Jay Mosley in that there was no direct, separate or distinct expenditure of funds in support of Maria Chappelle Nadal for the Democratic nomination for Congress.

Moreover, there was no coordination, agreement or direction given to Rochelle Walton Gray nor Jay Mosley nor to their campaign committees by Maria Chappelle Nadal that they were to include her congressional candidacy on said door hanger or on any other campaign materials in exchange for the campaign contributions from her statewide campaign committee to their respective campaign committees. Moreover, she did not supply the photo, but instead the photo was downloaded from the internet without any communication to or from her whatsoever. The political organization of which Gray, Mosley and the Weavers are members determined to support Chappell Nadal based on dissatisfaction with the incumbent congressman and it was at the request of said organization's leadership that Chappelle Nadal's candidacy for congress was included on said door hanger along with those of Gray, Mosley and the Weavers.

Moreover, we believe that as a matter of free speech, a state campaign committee can support a candidate for federal office without violation of the federal election laws, especially where there is no direct or increased costs or expense associated with that support.

We trust that the aforesaid adequately responds to said complaint. If you are in need of additional information, please feel free to contact me.

Sincerely,

Elbert A. Walton, Jr.

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#### FEDERAL ELECTION COMMISSION 999 E Street, NW Washington; DC 20463

#### STATEMENT OF DESIGNATION OF COUNSEL

Provide one form for each Respondent/Witness

FAX 202-219-3923

MUR# // CS
Name of Counsel: Elbert A. Walfor T-
Firm Wolfen Law Fire LC
Address: 2320 Chambers Rd
5/ Louis 11/0 63/36
Telephone: 3-4-388-3400 Fax: 3/4-338-4209
E-mail: e/bertwalton & elbertualton landon
The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the
Commission.
Date Signature (Respondent/Agent)  Topic Signature (Respondent/Agent)
Date Signature (Respondent/Agent) Total Square  RESPONDENT: Citizens to Elect Jay Mosley, LCC
Date Signature (Respondent/Agent)  RESPONDENT: CFT 2P45 fo Efect Jay Moster LCC  (Committee Name/ Company Name/Individual Named in Notification Letter)
Date Signature (Respondent/Agent)  RESPONDENT: Crti2P45 Po Cree 1 Jay Mos/Rec LCC  (Committee Name/Company Name/Individual Named in Notification Letter)  Mailing Address: 125 Water ford De
Date Signature (Respondent/Agent)  RESPONDENT: Crti2P45 Po Cree 1 Jay Mos/Rec LCC  (Committee Name/Company Name/Individual Named in Notification Letter)  Mailing Address: 125 Water ford De
Date Signature (Respondent/Agent)  RESPONDENT: CH2P45 PECTEL Jay Mos/es LCC  (Committee Name/ Company Name/Individual Named in Notification Letter)  Mailing Address: 125 Warter Ford De
Date Signature (Respondent/Agent)  RESPONDENT: Crti2145 fo Cre 1 Jay Mos/et CC  (Committee Name/ Company Name/Individual Named in Notification Letter)  Mailing Address: 125 Water ford De

This form relates to a Federal Election Commission matter that is subject to the confidentiality provisions of 52 U.S.C. § 30109(a)(12)(A). This section prohibits making public any notification or investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.



#### FEDERAL ELECTION COMMISSION 999 E Street, NW Washington, DC 20463

#### STATEMENT OF DESIGNATION OF COUNSEL

Provide one form for each Respondent/Winess

FAX 202-219-3923

MOR # 7/6	08	
Name of Counsel:	Elbert A. Walton	<u></u>
Firm	affor Law Fire C	<u> </u>
Address:	2320 Chambers	ed
	(f Louis Mo 631	36
Telephone: 3/2	4-388-3400 Fax: 3/4-33	84201
E-mail: P/L	bert walton @ elbert now	forlaw.ou
	individual and/or firm is hereby designated as my counsel and the communications from the Commission and to act on my designated as my counsel and the act on my designated as my counsel and the act on my designated as my counsel and the act on my designation and the act on my designated as my counsel and the act of th	
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This form relates to a Federal Election Commission matter that is subject to the confidentiality provisions of 52 U.S.C. § 30109(a)(12)(A). This section prohibits making public any notification or investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.

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3. FULL NAME OF COMMITTEE CITIZENS SOC MARIA	Chappello-Nad	las .	
4. COMMITTEE MAILING ADDRESS ADDRESS: 7/33 Dartmost fue CITY/STATE/ZIP: University (ity, 1/10 63/30	77	5. TELEPHONE NUI	MBER -7289
6. TREASURER'S NAME Deve Toulor			
7. TREASURER'S MAILING ADDRESS  ADDRESS: 1/50 Ursula  CITY/STATE/ZIP: University City, MO 63/30	0	8. TELEPHONE NUI HOME: (3/4) 724 WORK: (3/4) 58	
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10. DEPUTY TREASURER'S ADDRESS ADDRESS: CITY / STATE / ZIP :	FEB 25 2010	11. TELEPHONE NUMBER WORK:	MBER
12. OTHER COMMITTEE OFFICERS (IF ANY) A. NAME B. ADDRESS	HAND DELIVERED		AS OTHER COMMITTEES, IS E DESIGNATED AS THE COMMITTEE?
A. NAME & ADDRESS OF BANK, SAVING & LOAN, OR CREDIT UNION ROYAL BOWK Olive Blud Lln:veesity City, 14063130	Citizens	_	C. ACCOUNT NO.
15. TYPE OF COMMITTEE  CANDIDATE POLITICAL PARTY CONTINUING	CAMPAIGN	EXPLORATORY	DEBT SERVICE
16. CANDIDATE SUPPORTED (CANDIDATE COMMITTEES ONLY)  A. NAME  B. ADDRESS  7/33 Destrooth	Hue 63130	c. telephone no. (314) 725-728	POLITICAL PARTY  Democrat
17. CONNECTED ORGANIZATION (IF ANY) (CONTINUING COMMITTEE A. NAME	S ONLY)  B. ADDRESS		
18. CANDIDATES SUPPORTED OR OPPOSED  A. NAME(S) OF CANDIDATE(S)  B. ELECTION DATE  C. OF  MARIA (happelle-Vada)  8/3/2010  5/4		D. POLITICAL SUBDIVISH SJ. LOU'S COUN	
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20. COMMITTEE TREASURER'S SIGNATURE  I CERTIFY THAT THIS STATEMENT IS COMPLETE, TRUE AND	CHANDIBATES GIBNA	NORE ( BANDIDATE CO S STATEMENT IS COMPL	ETERUE AND
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Packet (Rev. 11/2014)

# Missouri Ethics Commission (MEC) PO Box 1370, Jefferson City MO 65102, (800) 392-8660, www.mec.mo.gov

	Office Use:	18B	pe
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# **Statement of Committee Organization**

1.	Statement Information		
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	Type: New Amended (if amending, enter MEC ID	8 section ch	anged dyb)
2.	Committee Information		
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	Committee Type: Campaign Candidate Continuing (	PAC) Debt Service Expl	oratory Political Party
3.	Treasurer/Deputy Treasurer Information		
	Neva Taylor Treasurer's Name (First & Last)	Treasurer's Email Address (optional)	
	Pn Ray 300033	/ )	1 1
	Treasurer's Mailing Andress, City, State, & Zip	Treasurer's Home Telephone Number	Treasurer's Work Telephone Number
	Deputy Treasurer's Name (il one appointed)	Deputy Treasurer's Ernail Address (optional)	
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4.	Additional Committee Information		
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	Connected Organization's Name (il any)	Connected Organization's Mailing Address, C	ity, State, & Zip
	CANDIDATES: Do you have more than one candidate committee'	? Yes (refer to instructions on	back) No
5.	Official Bank Account Information (required by all committees)		
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6.	Candidate Supported or Opposed (candidate committees must	include self, if candidate)	
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Missouri Ethica Commission



# Missouri Ethics Commission (MEC) PO Box 1370, Jefferson City MO 65102, (800) 392-8660, www.mec.mo.gov

Office Use:	

Statement o	<b>f</b> Committee	Organization
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	Committee training transfers, 241, 2214, 224, 224,		
	Official Committee Email Address	County Clerk or Board of Election Commission	Mers Control
	Committee Type: Campaign Candidate Continuing (P	AC) Debt Service Expl	oratory Political Party
3.	Treasurer/Deputy Treasurer Information		
	Treasurer's Name (First & Last)	Treasurer's Ernall Address (optional)	
	·	( )	( )
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	Rochelle Gray Deputy Treasurer's Name (If one appointed)	nafură Hastmat e Eusen voctore foltmusch	
	11845 Rollingsford Black Jack Mo 63033	(314) 477-0841	(314) 355-6789
	Deputy Treasurer's Mailing Address, City, State, & 219	Dep. Treesurer's Home Telephone Number	Dep. Treasurar's Work Tolephone Number
4.	Additional Committee Information		
	Additional Committee Office/s Name & Title (if any)	Additional Committee Officer's Mailing Addr	oss, City, State, & Zip
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_	CANDIDATES: Do you have more than one candidate committee?	Yes (refer to instructions on i	pack) No
Э.	Official Bank Account Information (required by all committees)	•	
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6.	Candidate Supported or Opposed (candidate committees must		
	Rochelle Walton Gray	(314) 477-0841	(314) 355-6789
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7.	Ballot Measure Supported or Opposed (campaign committees in	ust complete this section)	
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Missouri Ethics Commission (MEC)
PO Box 1370, Jefferson City MO 65102, (800) 392-8660, www.mec.mo.gov .

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# **Statement of Committee Organization**

Date: 3/21/2016  Type: New D Amended (If amending, enter MEC ID CIU 1/50 & section change	
Type: New Amended (If amending, enter MEC ID CILL 17 50 & section change	
	ed)
2. Committee Information .	
Citizens to Elect Jay Mosley LLC	
195 Waterford, Florissant, MO 63033	314,974-8207
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St Louis County Board of Electron County Clark or Board of Electron Commissioners	ection Commissioners
Committee Type: Campaign Candidate Continuing (PAC) Debt Service Explorato	ory Political Party
3. Treasurer/Deputy Treasurer Information	
Angela D Mosley	
Tressurer's Name (First & List)  195 Waterford, Florissant, MO 63033  (314) 974-8208	
	) Isurer's Work Telephone Number
Jermond L Mosley	
195 Waterford, Florissant, MO 63033 (314) 974-8208	•
	. Treasurer's Work Telephone Number
4 Additional Committee Information	
Additional Committee Officer's Name & Title (if any)  Additional Committee Officer's Mailing Address, Oty	y, State, & Zip
None Connected Organization's Name (If any) Amendment Connected Organization's Mailing Address, City, State	te, & Zip
CANDIDATES: Do you have more than one candidate committee?  Yes (refer to instructions on back)	
5. Official Bank Account Information (required by all committees)	
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7. Ballot Measure Supported or Opposed (campaign committees must complete this section)	
None	
	ort or Oppose
8. Signature(s) Check certification(s) & sign (required by all committees)	
I affirm and attest under penalty of perjury that information and facts in this report are complete, to further acknowledge that I am aware that any false statement or declaration made herein is punishable.	
Man Man	
Committee Treasure Candidate Committee Only	
MO 300-1308 Form must be completed in full & contain original signature(s), fax filings are not	accepted. Page 1 of 3

Missouri Ethics Commission APR 1 8 2016

#### **Order Confirmation**

Order Number: 124873WALT

Email Address:

Phone Number: 314.388.3400

**Shipping Information** 

Ship To: Elbert Walton Walton Law Firm LLC 2320 Chambers Rd St Louis, MO 63136 Phone: 314.388.3400

Shipping Method: Fedex Ground

Estimated Shipping Date: Monday, May 16 2016 Arrival: Thursday, May 19 2016

Weight: 40lbs in 2 boxes Shipping Cost: \$61.00

Job Information:

Item: Door Hanger 4.25x11 on 12pt card stock

Quantity: 2000 Price: \$271.16 Rush: \$24.40

Files:

Door\_Hanger\_Jay\_Spanish\_Lake.pdf Art Instructions: Turn time: Express 3

Payment Information:

Total: \$356.56 Card Type: Visa

Authorization Code: 095083

Billing Address: Citizens To Elect Gray 2320 Chambers Rd St Louis, MO 63136 Phone: 314.388.3400

Thank-you for your order! Lady Printing

877-885-5239

## **OFFICIAL SAMPLE BALLOT**

# SPANISH LAKE TOWNSHIP DEMOCRATIC CLUB GWEN REED, COMMITTEEWOMAN ORLANDO SMITH, PRESIDENT

US Senator - Jason Kander

**US Representative District 1 - Lacy Clay** 

MO State Governor - Chris Koster

MO State Lt. Governor - Tommie Pierson Sr.

MO Secretary of State - Robin Smith

MO State Treasurer - Pat Contreras

. MO Attorney General - Jake Zimmerman

MO State Senator District 13 - Gina Walsh

MO State Representative District 67 - Alan Green

MO State Representative District 66 - Tommie Pierson Jr.

St. Louis County Council District 4 - Mike O'Mara

Spanish Lake Township Committeewoman - Gwendolyn (Gwen) Reed

Spanish Lake Township Committeeman - Orlando Smith

Paid For by Spanish Lake Township Democrats, Tom George, Treasurer.

# PLORISSANT TOWNSHIP OPEN DEMOCRATIC CLUB AND LEWIS & CLARK DEMOCRATIC CLUB OFFICIAL SAMPLE BALLOT

U.S. SENATE

JASON KANDER

U.S. REPRESENTATIVE 1ST DISTRICT

LACY CLAY

**GOVERNOR** 

**CHRIS KOSTER** 

LT GOVERNOR

**RUSS CARNAHAN** 

SECRETARY OF STATE

ROBIN SMITH

**TREASURER** 

PAT CONTRERAS

ATTORNEY GENERAL

**JAKE ZIMMERMAN** 

STATE SENATOR 13TH

GINA WALSH

STATE REPRESENTATIVE 67TH

" ALAN GREEN

STATE REPRESENTATIVE 68TH

BERT ATKINS

STATE REPRESENTATIVE 69TH GRETCHEN BANGERT

STATE REPRESENTATIVE 74TH CORA FAITH WALKER

STATE REPRESENTATIVE 75TH TEONA McGHAW-BOURE

ST LOUIS COUNTY COUNCIL 2ND DISTRICT SAM PAGE

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**LEWIS & CLARK COMMITTEEMAN** 

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# **Courtney Allen Curtis**

73rd District, House of Representatives

Paid for by Fannie Lou Hamer Coalition Viola Murphy, Treasurer PO Box 8442 | St. Louis, MO 63132

